

1 **TYSON & MENDES LLP**
2 THOMAS E. MCGRATH
3 Nevada Bar No. 7086
4 Email: tmcgrath@tysonmendes.com
5 CHRISTOPHER A. LUND
6 Nevada Bar No. 12435
7 Email: clund@tysonmendes.com
8 3960 Howard Hughes Parkway, Suite 600
9 Las Vegas, Nevada 89169
10 Tel: (702) 724-2648
11 Fax: (702) 938-1048

12 *Attorneys for Defendants*
13 *Royce Plowman and Madison Smith*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 EDWARD KELLER, JR., individually,

17 Case No. 2:20-cv-00284-JCM-VCF

18 Plaintiff,

19 vs.

20 **STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND DISCOVERY DEADLINES
(FIRST REQUEST)**

21 ROYCE PLOWMAN, individually, MADISON
22 SMITH, individually; DOES I through X,
23 inclusive; ROE CORPORATIONS XI through
24 XX, inclusive,

25 Defendants.

26 IT IS HEREBY STIPULATED AND AGREED, between the parties and their attorneys
27 of record, that **the current discovery deadlines be extended approximately sixty days (60)**
28 **days** pursuant to Local Rule 26-1(b).

29 **I.**

30 **DISCOVERY COMPLETED TO DATE**

31 1. The parties have conducted the FRCP 26.1 Early Case Conference.

32 2. The parties have produced their respective Lists of Witnesses and Documents, and

33 supplements thereto pursuant to FRCP 26(a).

34 3. Plaintiff has propounded discovery to Defendants.

35 4. Defendants have propounded discovery to Plaintiff.

36 5. Plaintiff has responded to Defendants' discovery requests.



37 3960 Howard Hughes Parkway, Suite 600
38 Las Vegas, Nevada 89169

- 1 7. Defendants have responded to Plaintiff's discovery requests.
- 2 8. Defendants have taken the deposition of Plaintiff Edward Keller, Jr. on November
- 3 3, 2020.
- 4 9. Plaintiff is scheduled to take the depositions of Defendants MADISON Smith and
- 5 ROYCE Plowman on December 7, 2020.
- 6 10. Plaintiff has participated in an Independent Medical Examination on November 1,
- 7 2020.

8 **II.**

9 **DISCOVERY THAT REMAINS TO BE COMPLETED**

- 10 1. Deposition of Defendant Madison Smith.
- 11 2. Deposition of Defendant Royce Plowman.
- 12 3. Deposition(s) of Plaintiff Edward Keller Jr.'s treating physicians.
- 13 4. Deposition of other percipient witnesses.
- 14 5. Initial expert disclosures.
- 15 6. Rebuttal expert disclosures.
- 16 7. Depositions of experts.
- 17 8. Issuing subpoenas to additional third-parties, including Edward Keller Jr.'s medical providers (if any).
- 18 9. Additional written discovery (if necessary).
- 19 10. Any remaining discovery the parties deem relevant and necessary as discovery continues.

22 **III.**

23 **REASONS THE PARTIES REQUEST TO EXTEND THE DISCOVERY DEADLINES**

24 Good cause exists for an extension due to the COVID-19 pandemic and the holidays, as
25 the Parties have not been able to conduct all necessary depositions, obtain relevant medical
26 records, or have potential expert witnesses review all relevant records and documents to
27 complete reports. In addition, the Parties are discussing settlement and are looking to avoid costs
28 of retaining, disclosing, and deposing experts to facilitate settlement. Therefore, the Parties



3960 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

1 request additional time to complete discovery.

2 **IV.**

3 **CURRENT DISCOVERY DEADLINES AND TRIAL DATE**

4 Last day to amend pleadings or add parties: December 1, 2020.
5 Initial expert disclosure: December 1, 2020.
6 Rebuttal expert disclosures: February 1, 2021.
7 Discovery cut-off: March 1, 2021.
8 Dispositive motions: March 31, 2021.
9 Trial: TBD.

10 **V.**

11 **PROPOSED DISCOVERY DEADLINES AND TRIAL DATE**

12 Last day to amend pleadings or add parties: December 1, 2020.
13 Initial expert disclosure: February 1, 2021.
14 Rebuttal expert disclosures: April 2, 2021.
15 Discovery cut-off: April 30, 2021.
16 Dispositive motions: May 31, 2021.
17 Trial: TBD.

18 **VI.**

19 **CURRENT TRIAL DATE**

20 There is currently no trial date set in this case. Therefore, the requested extension of the
21 aforementioned deadlines **will not affect** the trial in this matter.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



3960 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

